United Nations A/ES-10/518–S/2011/304

General Assembly
Security Council

Distr.: General
16 May 2011

Original: English

General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Sixty-sixth year

Identical letters dated 13 May 2011 from the Chargé d'affaires a.i. of the Permanent Observer Mission of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

This week, the Palestinian people are solemnly observing the passage of 63 years since the 1948 Al-Nakba, by which the majority of the Palestinian people were expelled or fled in fear from their homeland of Palestine, becoming an uprooted, dispossessed and displaced people. Those refugees and their descendants number nearly 5 million people, constituting the largest and most protracted refugee problem in the world. At this time, the Palestinian people reflect on their history and their present conditions with deep sorrow as they continue to suffer grave hardships in their ongoing quest to realize their legitimate national aspirations for self-determination, freedom, justice, peace and security in their homeland.

The hardships of Al-Nakba continue for the Palestinian people as they continue to live either in exile as refugees throughout the region and the Diaspora or under the belligerent military occupation of Israel, the occupying Power, since 1967 in the Palestinian Territory, including East Jerusalem, forced to endure the systematic violation of their fundamental human rights and war crimes at the hands of the occupying Power for nearly 44 years. The persistence of such Israeli human rights violations and grave breaches of international humanitarian law is a clear confirmation of Israel's total disrespect for international law and the countless United Nations resolutions calling for respect for its legal obligations. It is also a clear confirmation of the deep contempt of the occupying Power for the rights and very existence of the Palestinian people, whom it continues to collectively punish, colonize, humiliate, intimidate and subjugate to all forms of oppression. The regrettable inability of the international community to seriously confront Israel's defiance has only fuelled its intransigence and impunity, compounding the conflict and the suffering and cyclical crises imposed on the Palestinian people and the region as a whole.

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Today, the Palestinian people and their leadership once again call upon the international community to assume its responsibilities vis-à-vis the question of Palestine and to exert all necessary efforts to advance the achievement of a comprehensive peace settlement that justly resolves all aspects of the question of Palestine, including ensuring the realization by the Palestinian people of their right to self-determination and freedom in their independent State of Palestine on the basis of the 1967 borders, with East Jerusalem as its capital, and ensuring a just and lasting solution to the plight of the Palestine refugees. The international community must act upon the principles enshrined in the Charter of the United Nations, the rule of international law and the relevant United Nations resolutions to bring an end to the injustices imposed on the Palestinian people for more than 60 years and an end to the denial and gross violation of their inalienable human rights.

In this connection, we condemn the use of force and intimidation by Israel, the occupying Power, against peaceful Palestinian demonstrators throughout the Occupied Palestinian Territory, including in neighbourhoods in East Jerusalem, where civilian demonstrators have been shot at with rubber bullets and tear gas by the Israeli occupying forces and several have been arrested. The right of these demonstrators to peaceful protest must be fully respected as they continue expressing their rejection of the Israeli occupation; calling for a complete end to the occupation and to all of its attendant illegal policies and practices, including the colonization of the Palestinian land, the imprisonment of thousands of Palestinian civilians, including women and children, and all other measures of collective punishment, foremost among them the illegal blockade of the Gaza Strip; calling for justice; and calling for the realization of their inalienable human rights. The Palestinian leadership totally rejects any attempts by the occupying Power to suppress the expression of our people for their legitimate national rights and aspirations, and continues to call for their protection under international humanitarian law.

As such, we will continue to call for the full cessation of Israel's settlement colonization campaign in the Occupied Palestinian Territory, including in and around Occupied East Jerusalem. Such flagrant breaches of international law and United Nations resolutions and defiance of the international consensus in this regard must not be tolerated. These actions are gravely undermining the prospects for achieving the two-State solution and are poisoning the environment between the two sides, preventing the resumption of peace negotiations on the basis of the internationally supported terms of reference. The construction of settlements and the continued confiscation of Palestinian land and demolition of Palestinian homes and properties and revocation of residency rights are all illegal measures clearly aimed at altering the demographic composition and character of the Occupied Palestinian Territory. Such unlawful measures have further isolated Occupied East Jerusalem from its natural Palestinian environs and are seriously destroying the Territory's contiguity, integrity, unity and viability. At the same time, just as in 1948, the occupying Power's unlawful construction of the Wall, which is clearly part of the settlement campaign, is causing entire communities to be destroyed and thousands of Palestinian families to be displaced, and continues to cause serious harm to the socio-economic conditions of the Palestinian people.

In addition, we reiterate our calls for a complete end to Israel's shameful and illegal blockade of the Gaza Strip, which continues in collective punishment of the entire Palestinian civilian population there and in defiance of the calls from all corners of the world for an end to this inhumane siege. Moreover, Israeli officials

continue to incite and provoke with irresponsible, illogical and hostile statements in response to the recent reconciliation among Palestinian political factions, a reconciliation long called for and deeply desired by the Palestinian people, whose unity is an utmost priority for the Palestinian leadership. In this connection, Israel also continues to withhold Palestinian tax revenues that are necessary for the effective functioning of the Palestinian Authority and its institutions. This unlawful and provocative act is yet another act of collective punishment that is further aggravating the already difficult financial situation of the Palestinian people. We call on the international community to exert the necessary efforts to compel Israel to release all Palestinian funds and to end its illegal blockade and all other acts aimed at subjugating, humiliating and oppressing the Palestinian people.

These unlawful acts are compounding the hardship of the Palestinian people and are seriously sabotaging the efforts to achieve the two-State solution to the Israeli-Palestinian conflict on the basis of the 1967 borders and a just and lasting peace throughout the region. We thus reaffirm that the cessation of Israeli violations of international law is essential for salvaging the hopes and potential for peace and achieving justice for the Palestinian people.

The international community must find the will to do what is necessary to uphold international law and to help the two sides seize the opportunity for peace that exists before us. This requires urgent efforts to ensure compliance by Israel, the occupying Power, with relevant United Nations resolutions and decisions and its legal obligations under the Fourth Geneva Convention and the human rights covenants. The United Nations, including the Security Council, has an important role to play in this regard and must exercise responsibility to address this ongoing crisis with a view to achieving a just and lasting resolution this year. Courage and leadership is needed at this critical juncture in our region to ultimately end this prolonged tragedy and bring peace and security to the Palestinian and Israeli peoples with the achievement of a lasting, comprehensive peace based on the two-State solution of an independent, sovereign and viable State of Palestine, living side by side in peace and security with Israel on the basis of the 1967 borders, and the achievement of a just solution to the problem of the Palestine refugees in accordance with resolution 194 (III) of 1948.

This letter is in follow-up to our previous 390 letters regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 2 May 2011 (A/ES-10/517-S/2011/280) constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, acts of State terrorism and systematic human rights violations committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

I should be grateful if you would arrange to have the text of the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Feda **Abdelhady-Nasser**
Chargé d'affaires a.i.